

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

CONSTRUCTION LABORERS
TRUST FUNDS FOR SOUTHERN
CALIFORNIA ADMINISTRATIVE
COMPANY, a Delaware limited
liability company,

Plaintiff,

v.

SIERRA FIREPROOFING, INC., a
California corporation; RICHARD
THOMAS ABRAHAM, an
individual; WESCO INSURANCE
COMPANY, a Delaware
corporation; DOE 1 through DOE 5,
inclusive,

Defendants.

CASE NO.: 2:18-cv-6058 FMO (FFMx)

**JUDGMENT PURSUANT TO
STIPULATION [30]
FOR ENTRY OF JUDGMENT**

PURSUANT TO THE STIPULATION FOR ENTRY OF JUDGMENT by and
between Plaintiff, Construction Laborers Trust Funds For Southern California
Administrative Company, LLC., through its attorneys, Reich, Adell & Cvitan by
Marsha M. Hamasaki and Defendants, Sierra Fireproofing, Inc., (“Sierra”) and Richard

1 Thomas Abraham (“Abraham”) through their attorneys, Atkinson, Andelson, Loya,
2 Ruud & Romo, by Thomas W. Kovacich, and good cause appearing therefor:

3 IT IS HEREBY ORDERED THAT Judgment is entered in in favor of Plaintiff,
4 CONSTRUCTION LABORERS TRUST FUNDS FOR SOUTHERN CALIFORNIA
5 ADMINISTRATIVE COMPANY, a Delaware limited liability company, the
6 administrator, agent for collection and a fiduciary to the Laborers Health And Welfare
7 Trust Fund For Southern California, Construction Laborers Pension Trust For Southern
8 California, Construction Laborers Vacation Trust For Southern California, Plaster
9 Tenders Apprenticeship And Training Trust Fund For Southern California; Center For
10 Contract Compliance, Plastering Trades Administrative Trust Fund For Southern
11 California; and Laborers' Trusts Administrative Trust Fund For Southern California
12 (hereinafter collectively "TRUST FUNDS"), and against Defendants, SIERRA
13 FIREPROOFING, INC., a California corporation (“SIERRA”) and RICHARD
14 THOMAS ABRAHAM, an individual (“ABRAHAM”); individually, jointly and
15 severally as follows: (a) Against SIERRA for the principal sum of \$75,371.76 covering
16 time periods from February 1, 2019 through March 31, 2019 ; and (b) of the \$75,371.76
17 judgment against SIERRA, ABRAHAM shall be individually, jointly and severally
18 liable with SIERRA for the sum of \$53,443.79.

19 IT IS FURTHER ORDERED The money JUDGMENT entered in this action is
20 for known delinquencies incurred for the period from February 1, 2017 through May
21 31, 2019 based upon monthly contribution reports submitted by SIERRA during this
22 time period; however, SIERRA and ABRAHAM are aware of and understand that the
23 indebtedness during the time period from February 1, 2017 through May 31, 2019 was
24 not fully determined in the audit of SIERRA’S records, and that an audit was conducted
25 through May 31, 2018 only. Therefore, as to the period after May 31, 2018, neither
26 this Stipulation for Entry of Judgment nor any entry of a money JUDGMENT in this
27 action shall operate as a bar and/or res judicata as to either the amount of any
28 delinquencies which may be discovered by the TRUST FUNDS' in any further audit

1 and/or through claims by employees, and/or due to shortages owed to the TRUST
2 FUNDS resulting from payment of the wrong rate(s) of contribution due on behalf of
3 employees, and/or otherwise due and owing on projects that were not audited by the
4 TRUST FUNDS and/or in any action brought to recover such delinquencies.

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6 DATED: June 17, 2019

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8 /s/
9 FERNANDO M. OLGUIN
10 UNITED STATES DISTRICT JUDGE
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